



DISABILITY AND COMMUNICATION ACCESS BOARD

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INTERPRETIVE OPINION

Pursuant to §103-50, Hawaii Revised Statutes (HRS), all buildings and facilities constructed by, or on behalf of the State or any county, shall conform to the 2004 Americans with Disabilities Act Accessibility Guidelines (2004ADAAG) and amendments. In accordance to HRS §103-50 and Chapter 11-217, Hawaii Administrative Rules, the Disability and Communication Access Board has authority to issue interpretive opinions to HRS §103-50 design standards.

Docket: **DCAB 2011-20:**

- 1. Does ADAAG 216.5 Exception 1 comply with Hawaii Administrative Rules, Title II, Chapter 219?
If not, what is required for compliance?**
- 2. How are accessible parking access aisles to be marked so as to discourage parking in them?**
- 3. Are accessible parking access aisles to be identified with signage?**

Summary: In addition to the ADAAG, projects subject to HRS §103-50 must comply with Hawaii Revised Statutes Parking Law Chapter 219, Part III and Hawaii Administrative Rules Title II, Chapter 219.

While the ADAAG requires that accessible parking access aisles shall be marked to discourage parking in them, the ADAAG does not provide technical provisions on how the access aisle should be marked. There are other situations in which the ADAAG does not address a particular element. In these instances, the guidelines that can be used or which may be applicable are applied as a minimum requirement. There are other situations in which guidelines have been developed but have not yet been adopted by an enforcement agency as a standard. The DOJ has advised that these guidelines can be used as best practice. The technical provisions in Hawaii Administrative Rules can be used as best practice.

Ruling: For buildings or facilities subject to HRS §103-50,

ADAAG Section 216 Signs, 502 Parking Spaces

1. ADAAG section 216.5 Exception 1 does not comply with Hawaii Administrative Rules (HAR), Title 11, Chapter 219. For projects subject to HRS 103-50 to be in compliance with HAR Title 11, Chapter 219, accessible parking stalls are required to provide signs as shown on the Hawaii Administrative Rules (HAR), Title 11, Chapter 219, "Typical Reserved Parking Sign for Persons with Disabilities" (Exhibit 1) and "Typical Reserved Parking Sign for Van Accessible Stall" (Exhibit 2), wherever accessible parking is provided, regardless of the number of parking stalls. The reserved parking sign shall be located at the front of each parking space reserved for persons with disabilities. When a directional sign is needed to direct motorists to parking spaces reserved for persons with disabilities, the sign shall have a white legend on a blue background with an appropriate directional arrow.
2. Accessible parking access aisles shall be outlined except on the curb side of the space and shall be diagonally striped within the outline. The outline and diagonal striping shall be four inches in width. The diagonal striping shall be at a 45 degree angle to the outline and shall be clearly visible in contrast to the parking surface.
3. Access aisles, other than van access aisles, shall not require additional signage. Van access aisles shall be posted with a no parking sign with the dimensions and text sizes shown on the Hawaii Administrative Rules (HAR), Title 11, Chapter 219, "Typical Access Aisle Sign" (Exhibit 3).

[Rul: 01/03/2011] (Auth and Imp: HRS §103-50)

If you have any questions or comments regarding this ruling, please call us at 586-8121.

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